

REMARKS

Claims 1-7 and 9-17 were presented for examination and were pending in this application. In the above-referenced Office Action, claims 1-2, 9-10, and 16-17 were rejected, and claims 3-7 and 11-15 were objected to. Applicants now request reconsideration and allowance of claims 1-7 and 9-17.

In a telephone message of January 04, 2005, in response to a telephone message from the undersigned, the Examiner indicated that he had considered the Preliminary Amendment filed on June 2, 2003, during preparation of the present Office Action and noted that claim 8 had been previously cancelled. Applicants thank the Examiner for examination of the claims pending in this application and address the Examiner's comments below.

35 U.S.C. § 120

The Examiner contended that the parent application (U.S. Patent No.6,183,362) did not support of the pending claims. Applicants disagree. The Examiner cited three claim elements that were not supported by the parent. One portion of claim 1 cited by the Examiner is: "receiving a request for a resource for the specific property for a customer" as recited in claim 1 (Office Action, page 2, paragraph 1, lines 11,12). Applicants point to the following sections of the issued parent patent, for example, col. 9, lines 26-48, which states:

If the customer data is not available locally, as when a customer new to the casino property checks into the hotel first, LMS 238 will send a data request to CMS 234, which forwards it to CPDB 220 using the messaging system and transaction management system 216, 216'. This transaction is carried out on-line in order to provide rapid access to a summary of basic customer information such as the customer's address, credit status, gaming points, theoretical win profile, and recent trip activity. Ready access to this customer data allows casino employees to make the check-in

process both more efficient and more personalized for the customer, enhancing the customer's overall experience and making him or her more likely to return.

Applicants request that the Examiner withdraw his comments concerning §120

Response to Rejection Under 35 USC § 103(a)

In the Office Action, the Examiner rejects claims 1-2, 9-10, and 16-17 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Kuyumcu, “Gaming with Revenue Management” (Kuyumcu), and further in view of U.S. Patent No. 6,424,949 to Deaton, et al. (“Deaton”). Claims 3-8 and 11-15 are objected to as being dependent upon a rejected base claim. Claim 8 was previously cancelled and is not allowed. This rejection is respectfully traversed.

The Examiner contends that Kuyumcu discloses valuing the customer based at least on activities of the customer at two or more properties, where the customer value is specific to the property. Applicants disagree. The Examiner states that Kuyumcu fails to disclose or suggest receiving a request for a resource for the specific property for a customer.

As is clear from applicants’ specification, the term “property” is used in the claims to mean a physical location, such as a hotel or casino. The present invention relates to the problem that not all hotels have the same profitability model. For example, a Lake Tahoe hotel is usually full and does not need to give as many incentives to customers as hotels that are less popular (see, for example, page 5, line 16-page 6, line 5). Thus, when a customer requests a resource (such as a hotel room) at a specific property, the valuation of that customer is specific to the requested property. The same customer requesting a hotel room at a first hotel will not necessarily be valued the same as he would be had he requested a room at a second hotel. This is

true even because valuation is performed for the specific requested hotel. Applicants disagree that Kuyumcu discloses such valuation.

Deaton discloses a system where a customer is awarded a coupon based on his past use of products. Fig 46A is cited by the Examiner for its alleged disclosure of providing customer valuation in relation to property. Applicants fail to see where Deaton makes such a disclosure. In Fig. 46A, previously purchased products are used as the topics of the coupon. For example, if a customer previously purchased a certain kind of cookie, the customer will receive coupons for that cookie. (col. 122, lines 5 et seq). Each store defines a valuation formula:

In addition, a "value formula" is used by the system to further refine the list of products for use on incentive coupons. A store will normally establish a total dollar value of coupons to be delivered to each level of customer. For example, the store may determine to award an infrequent shopper with coupons having a value of \$5, while a more frequent shopper would only be rewarded with a \$1 value coupon. **An incentive value formula must be utilized to pick the products which provide these values of reward or incentive, based upon the stored database of products previously purchased by a customer.** The value formula is necessary because each customer has a different list of frequently purchased prior products. The formula may vary from store to store, (Col. 123, lines 28-42) emphasis added.

The valuation formula of Deaton does not value the customer, as recited in applicants' claims. It merely determines which products will be given as incentives. The result of Deaton is that a coupon is issued to the customer for the determined products. The formula does not affect the valuation of the customer and Deaton does not affect the price that the customer pays for his requested resource.

Claims 2, 9, 10, 16, and 17 are allowable for at least the same reasons as claim 1. Claims 3-7, and 11-15 are indicated as allowable.

Conclusion

Applicants respectfully submit that claims 1-7 and 9-17, as presented herein, are patentably distinguishable over the cited reference (including references cited, but not applied). Therefore, Applicants request reconsideration and allowance of these claims.

In addition, Applicants respectfully invite the Examiner to contact Applicants' representative at the number provided below if Examiner believes it will help expedite furtherance of this application.

RESPECTFULLY SUBMITTED,
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